



EQUAL EMPLOYMENT OPPORTUNITY PREQUALIFICATION REQUIREMENTS

The Minority and Women's Business Opportunity Office (MWBOO) of the Baltimore City Law Department has prepared this compliance package for contractors seeking to qualify to bid on City contracts. It provides compliance information and forms to assist contractors in meeting the Equal Employment and Affirmative Action conditions for prequalification. Contractors must have a valid, acceptable equal opportunity compliance rating in order to be prequalified with the City of Baltimore. This compliance package contains the following required information:

A. Sample Equal Employment and Affirmative Action Plan

The Sample Equal Employment and Affirmative Action plan provides a model to be used by contractors in developing plans. Each contractor is encouraged to adopt the Sample Plan by inserting the name of the company in the appropriate place or to use the Sample Plan as a guide to assure that the plan developed by contractors meets all policy and procedural requirements. The Equal Employment and Affirmative Action Plan submitted by a contractor is valid for three (3) years.

B. Work Force Analysis Report

The Work Force Analysis Report is an employment report reflecting the current work force and long range hiring goals of the company. The completed Work Force Analysis Report submitted by a contractor is valid for three years.

C. Affidavit of Equal Employment Opportunity

Contractors seeking to bid on City contracts are required to sign the Affidavit of Equal Employment Opportunity to assure commitments to EEO policies and procedures. The executed Affidavit submitted by a contractor is valid for three (3) years.

For further information, company names beginning with the letter A-L please call Elton Winn at (410) 396-3265. Company names beginning with the letter M-Z, please call Bob McDonald at (410) 396-3221.

Name of Company: _____

Address: _____

City: _____

SAMPLE

**EQUAL EMLOYMENT AND
AFFIRMATIVE ACTION PLAN**

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I. PURPOSE OF EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION PLAN AND STATEMENT OF POLICIES

C. Purpose of Plan

The purpose of (Company's) Equal Employment and Affirmative Action Plan is to describe the application of key policies and procedures designed to assure the right of all persons to work and to advance on the basis of ability. This plan has been developed for the following purposes:

1. To achieve full equal treatment of minority groups and women at all levels and in all sectors of the work force;
2. To ensure compliance with applicable equal employment laws and government regulations;
3. To set forth mandatory steps to be taken at all (Company) office locations to maintain and implement equal employment and affirmative action policies throughout (Company).

D. Statement of Policies

Equal Employment – The (Company) employment policy is to make no distinctions in treatment, hiring, or advancement of applicants or employees on the basis of race, religion, color, sex, age, national origin, handicap status, Vietnam era or disabled veterans status, or on any other basis prohibited by law.

Affirmative Action – The Board of Directors, President, and all officers of (Company) will affirmatively implement the policies and procedures in this plan with regard to women, minorities, and protected class individuals and will regard those policies and procedures as Baltimore City contract requirements.

II. DISSEMINATION OF THE PLAN AND POLICIES

C. Internal

(Company) will communicate to each executive, manager, supervisor, and foreman this Plan and its equal employment and affirmative action policies through the following procedures:

1. Upon request, (Company) will give to any employee a copy of this plan.

2. The existence and requirements of the Plan will be communicated to all employees from time to time through such internal publications as may be appropriate.
3. A copy of the Statement of Policies will be given to all applicants for employment upon their request for an employment application.
4. Implementation of the Plan will be discussed during management staff meetings.
5. Periodically, the Equal Opportunity Officer will meet with each manager and the manager's immediate staff to give them assistance in implementing the Plan.
 - a. (Company) will communicate to union officials this plan and its equal employment and affirmative action policies and procedures.
 - b. Posters and policies relevant to the Plan will be displayed in conspicuous places where employees are located and particularly, in employment areas.

D. External

(Company) will communicate the Plan and the Statement of Policies to the public by the following procedure:

1. Recruiting sources, such as personnel agencies, community organizations, colleges and training institutes, will be informed of the basic aims of the Plan and the Statement of Policies and will be requested to include minorities and females and handicapped persons in their referrals.
2. Advertisements for employment will be placed in news media chosen to reach all qualified applicants, including minorities, women and handicapped persons. All employment advertisements will contain the phrase "An Equal Opportunity Employer."
3. (Company) will, in all solicitations or advertisements for employees placed by or on behalf of (Company), state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, handicap status, Vietnam era or disabled Veterans status.
4. (Company) will send each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or worker's representative of the Plan and policies.
5. (Company's) recruitment and hiring practices will include:
 - (a) the avoidance of any help-wanted advertising in sex-segregated columns in newspapers or other publications,

- (b) the avoidance in recruitment letters, or other materials of any reference to “male” or “female” or any indication of preference for men or women in certain jobs.

III. ADMINISTRATION

C. Responsibility

(Company’s) Board of Directors has the overall responsibility for the policies included in the Plan. The President of (Company) has the primary responsibility for the successful implementation of the Plan. The President has appointed _____,

(Name)

_____, to be (Company’s) Equal Opportunity

(Title)

Officer with delegated responsibility for program planning, direction, and operation.

D. Duties of the Equal Opportunity Officer

1. Manages, coordinates, supervises, and integrates day-to-day operations and activities in implementing the Plan at all offices of (Company);
2. Develops programs and policies for securing compliance at all (Company) locations with equal employment opportunity and affirmative action policies of (Company);
3. Reviews employment practices as required to determine whether any current policies serve to bar handicapped individuals from employment;
4. Reviews all qualification requirements to assure that they are job-related, are consistent with job necessity and safe performance on the job;
5. Directs compliance reviews and investigations of complaints of discrimination;
6. Prepares and issues statistical data and evaluation of progress to measure the success of the program and to identify areas where minorities, women and handicapped persons are underutilized.

IV. UTILIZATION AND WORK FORCE ANALYSIS

D. Utilization Analysis

The purpose of the utilization analysis is to identify job classifications within (Company’s) work force in which minorities and women are being under-utilized. The utilization analysis will include an examination of the (Company’s) work

force and a comparison of the availability of minorities, women and handicapped persons in the job classification and geographic areas where (Company) can recruit.

In determining if minorities and women are underutilized in any (Company's) job classifications, the Equal Opportunity Officer shall evaluate the following factors:

1. The minority and female populations of the area surrounding (Company) and their proportion to the total;
2. The size of the minority and female unemployment force in the area surrounding (Company);
3. The general availability of minorities and women having requisite skills in an area from which (Company) can recruit;
4. The minorities and women employed by (Company) with the requisite skills for the job classifications involved;
5. The number and percentage of minorities and women applying for employment.

E. Work Force Analysis

The Equal Opportunity Officer will develop an analysis of job titles and job classifications held by minorities and women which shall include a listing of each job title including the wage rate or salary range, as it appears on (Company) payroll records, ranked from the lowest paid to the highest paid within each organizational unit and the total number of incumbents by sex and minority group in each job title.

F. Identification of Problem Areas

The Equal Opportunity Officer will be responsible for the periodic analysis of the entire employment process in order to identify problem areas. Among the subjects covered will be:

- i. The recruitment process;
- ii. Concentration of women and minorities in various job titles and job classifications;
- iii. Selection standards and procedures;
- iv. Transfer and promotion policies;
5. Provisions and practices regarding seniority in union contracts;
6. Administration and validity of all tests for employment and promotional purposes;
7. Upward mobility systems, promotions, and training;
8. Termination and disciplinary actions;
9. Utilization of qualified handicapped persons.

V. GOALS AND TIMETABLES

The final process in the utilization and work force analysis is the formulation of goals and timetables for employment of minorities and women. (Company) will use the following process in establishing goals and timetables:

1. A goal will be established when the percentage of total minorities and women in a job classification within (Company) is lower than the total percentage of minorities and women available in that job classification within the surrounding labor market area.
2. The goal will be stated as a percentage of the total employees in the job classification and will be equal to the percentage of minorities and women available for work in the job classification in the surrounding labor market area.
3. For each job classification with a goal, a specific timetable will be established for reaching the goal in the minimum feasible time period.

VI. EXECUTION OF THE EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

E. Recruitment

(Company) will actively seek minorities, women and handicapped persons for employment. The following techniques will be used to ensure that personnel practices of (Company) are not discriminatory:

- a. (Company) will analyze and review recruitment procedures for each job title to identify and eliminate discriminatory barriers;
- b. (Company) will establish objective measures to analyze and monitor the recruitment process. These shall include application records, including for each job applicant, name, race, sex, handicap status, Vietnam era or disabled veterans status, referral source, date of application, position applied for, and whether a job offer was made;
- c. Prior to filling any position for which goals and timetables have been established, the Equal Opportunity Officer will review the number of minority and women applicants who applied for the position;
- d. Recruitment sources will be listed to ensure that the Company is making contact with recruitment sources that provide the widest range of applicants.

F. Selection Standards and Procedures

- a. (Company) will carefully review and evaluate every step of its hiring process to ensure that the job requirements, hiring standards, and methods of selection and placement do not discriminate, are job related, and contribute toward the goals of this plan.
- b. Having identified handicap status, reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant will be made, unless it can be shown that such accommodation would impose an undue hardship for the project.

G. Upward Mobility, Promotions, Training

In order to assure the absence of discrimination against the employment of minorities, women, and handicapped persons in all positions, (Company) will review all practices – both formal and informal – affecting promotions and training opportunities to ensure that minorities, women and handicapped persons are promoted and given training opportunities. The following records and procedures will be used, developed, and implemented in order to ensure compliance:

- a. The number and percentage of minorities, women and handicapped persons in all training programs for employees of (Company);
- b. Employees will be informed of all job opportunities.

H. Layoffs, Discharges, Demotions, Disciplinary Action

The standards for deciding when an employee will be terminated, demoted, or disciplined, will be the same for all employees of (Company) and will not be applied differently for minorities, women and handicapped persons. (Company) will keep a record of:

- a. All Terminations, indicating total, name, date, number of members of minority group, handicapped persons and women by job category and reason for termination; and
- b. All Layoffs and Demotions, indicating total, name, date, number of members of minority group, handicapped persons and women by job category and reasons for action.

VII. AUDITS AND REPORTS

(Company) will monitor appropriate personnel records and reports to ensure a policy of equal opportunity and to ensure compliance with (Company) goals and timetables. (Company) will develop and implement a reporting procedure that will provide for the continued auditing, monitoring, and evaluation of (Company) offices. A formal audit of (Company) will be made at least annually with periodic checks as deemed appropriate.

VIII. SUBCONTRACTORS, CONSULTANTS, SERVICES

(Company) recognizes its responsibilities in the areas of equal opportunity and affirmative action with respect to subcontractors, consultants, and companies that supply materials and services to (Company). The Equal Opportunity Officer will develop and implement policies and procedures to ensure that those responsibilities are being met.

B. Utilization of Women and Minority Business Enterprises

It is the policy of (Company) that women and minority business enterprises shall have the maximum practicable opportunity to participate in the performance of Baltimore City contracts.

- a. (Company) will establish policies and procedures that will enable women and minority business enterprises to be considered fairly as subcontractors and suppliers under City contracts.

In this connection:

- i. (Company) will develop and implement policies and procedures to recruit and give equal consideration to women and minority firms and consultants to provide personnel services or supplies to (Company);
- ii. (Company) will develop a listing of women and minority firms and consultants that provide services for which (Company) normally contracts;
- iii. The Equal Opportunity Officer will periodically review and monitor (Company) use of subcontractors, suppliers, consultants, and services in order to assure fair use, consideration, and treatment of women and minority suppliers, subcontractors, consultants and services;
- iv. (Company) will notify all subcontractors and suppliers that its affirmative action plan is on file with the City of Baltimore and that

their affirmative action plans must also be filed with the contracting City agency at or prior to bidding on the contract;

- v. (Company) will endeavor to cause nondiscrimination clauses in collective bargaining agreements and endeavor to discover any present discriminatory provisions in collective bargaining agreements and to modify and delete same;
- vi. When (Company) contemplates subcontracting activities, a good faith effort will be made to utilize women and minority firms or subcontractors;
- vii. (Company) will not use a facility or any portion thereof that segregates because of race, religion, color, age, national origin or sex. Further, (Company) will not sponsor, endorse, or contribute to any association or establishment that excludes minorities, women and handicapped persons.

IX. STATEMENT OF COMMITMENT

It is the policy of (Company) to provide equal employment opportunity in all employment practices, including but not limited to, recruitment, advertising, hiring, layoff, rate of pay, training, termination, upgrading, demotion, transfer, fringe benefits, and use of facilities; without discrimination because of race, color, sex, age, religion, national origin, handicap status, Vietnam era or disabled veteran status, or on any other basis prohibited by law. This plan will be updated and revised to reflect experience, changes in laws and regulations, and better understanding of effective approaches that will assure equal employment opportunities for all.

President

Equal Opportunity Officer

Date

I, _____,
(NAME)
_____, do hereby solemnly swear and affirm
(TITLE)
under the penalty of perjury that the _____
(COMPANY/FIRM)
_____.

at all times to all employees and all applicants for hiring; 5) that _____
(NAME)

_____ has been appointed to administer and implement our Affirmative Action Plan and otherwise carry out our commitment to equal employment opportunity; and, 6) the _____
(COMPANY)

_____ will take affirmative steps to utilize minority- and female-owned businesses as subcontractors and suppliers on any and all contract awards received from the City of Baltimore, a municipal corporation (hereinafter “City”); and, finally 7) that all information and data furnished to the City regarding use of minorities, females and the handicapped and minority-owned businesses and female-owned businesses are true and correct and that if at any time such information may no longer reflect the true composition of

our work force and use of minority-owned businesses and female-owned businesses, that the changes will be reported to the City's Contractor's Qualification Committee.

WITNESS:

SIGNED:

_____(SEAL)
NAME

TITLE

COMPANY

DATE: _____

Name of Company _____

WORK FORCE ANALYSIS REPORT

Report all permanent, temporary, or part-time employees including apprentices and on-the-job trainees. Enter the appropriate figures on all lines and all columns. All blank spaces will be considered zero.

NUMBER OF EMPLOYEES

JOB CATEGORIES	OVERALL TOTALS	MALE					FEMALE				
		White	Black	Hispanic	Asian	Amer. Indian	White	Black	Hispanic	Asian	Amer. Indian
Officials and Managers											
Professionals											
Technicians											
Sales Workers											
Office and Clerical											
Craft Workers (skilled)											
Operatives (semi-skilled)											
Laborers (unskilled)											
Service Workers											
TOTALS											

(The Trainees below should be included in the figures for the appropriate occupational categories above).

Formal on-the-job Trainees	Skilled										
	Un-skilled										
Apprentices											

ESTABLISHMENT INFORMATION

What is the major activity of the establishment? Be specific, e.g. manufacturing, construction, maintenance, repair, demolition of physical facilities, etc. Include the dspecific type of product or type of service provided, as well as the principal business or industry activity.

REMARKS

CERTIFICATION

All reports are accurate and were prepared in accordance with instruction. Yes _____

Name of Certifying Official		Title	Date
Address		City and State	Zip Code
			Telephone

All reports and information will be kept confidential